

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CHRISTOPHER WESLEY WILLIAMS,)	
)	
Petitioner,)	
vs.)	NO. CIV-11-0369-HE
)	
JOSEPH TAYLOR, Warden,)	
)	
Respondent.)	

ORDER

Petitioner Christopher Wesley Williams, a state prisoner appearing *pro se*, filed this action seeking a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred for initial proceedings to Magistrate Judge Doyle W. Argo. He has recommended that respondent's motion to dismiss be denied.¹ Objections to Judge Argo's Report and Recommendation were due by June 1, 2011.²


The parties, having failed to object to the Report and Recommendation, waived their right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). *See* 28 U.S.C. § 636(b)(1)(C). Accordingly, the court **ADOPTS** Magistrate Judge Argo's Report and Recommendation and **DENIES** respondent's motion [Doc. #9].

¹*Respondent sought dismissal, arguing that petitioner's ineffective assistance of counsel ground was not exhausted. Magistrate Judge Argo recommended denial of the motion based on petitioner's "representation that he has not and will not raise the issue of ineffective assistance of appellate counsel." Report & Recommendation [Doc. #12, p. 5].*

²*On May 26, 2011, petitioner filed a motion to stay the current proceedings. The magistrate judge will deal with this motion in due course.*

IT IS SO ORDERED.

Dated this 15th day of June, 2011.



JOE HEATON
UNITED STATES DISTRICT JUDGE